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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

3:73-CV-00125-MMD-CSD

Plaintiff,

In Equity No. C-125

WALKER RIVER PAIUTE TRIBE,

**ORDER APPROVING BUDGET AND
RATE OF ASSESSMENT FOR THE
YEAR JULY 1, 2022 THROUGH JUNE
30, 2023, AND THE AUDIT REPORT
FOR THE YEAR ENDED JUNE 30, 2021**

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

The Petition of the United States Board of Water Commissioners and the Chief Deputy Water Commissioner (collectively “Board”) for Approval of Budget and Approval of Rate of Assessment for the Year July 1, 2022 Through June 30, 2023, and for Approval of the Audit Report for the Year Ended June 30, 2021 (“Petition”) [Doc. 1712] was filed on April 12, 2022.

An Order Requiring Notice of the Petition was entered April 12, 2022 [Doc. 1718]. A hearing was set for Wednesday, May 25, 2022 [Doc. 1718]. The Court stated in the Notice of Filing of Report and Petition if no objections were filed by May 11, 2022, the Court would consider vacating the Hearing [Doc. 1717].

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1 The Walker River Paiute Tribe (“Tribe”) and the United States of America (“United
2 States”) filed Joint Comments on May 4, 2022 [Doc. 1723]. The Walker River Irrigation District
3 (“WRID”) filed a Response to the Joint Comments on May 5, 2022 [Doc. 1727]. The Joint
4 Comments of the Tribe and the United States state their comments are similar to their comments
5 filed annually with the Court in prior years, and that therefore a hearing may not be required on the
6 Petition. Subject to the statements made in their comments, the Tribe and United States do not
7 object to the Court approving the Petition. The Tribe and United States do not object to the March
8 22, 2022 start date for the Tribe’s irrigation season approved by the Board in the 2022 Plan of
9 Distribution. The Joint Comments pertain to concerns that the delivery of water to the Tribe account
10 for conveyance losses and accuracy of measurement. For this year, the Tribe and the United States
11 do not object to the United States Board of Water Commissioners administering the Decree and the
12 delivery of water in the same manner as in prior similar irrigation seasons. WRID responded to the
13 Tribe’s and United States’ Joint Comments and acknowledged that the Tribe and the United States
14 have not waived the rights they may have to seek in the future a different place of measurement
15 and/or the addition of water to offset conveyances losses, if any.

16 There were no other comments filed to the budget, rate of assessment or the audit
17 report.

18 The Court having considered the Petition, the Tribe’s and United States’ Joint
19 Comments, WRID’s Response, the proofs of notice, and being fully advised in the premises makes
20 the following findings:

21 1. The Court finds that notice of this hearing has been given by publication and
22 posting of the Notice of Filing of Report and Petition for Approval of Budget and Approval of Rate
23 of Assessment for the Year July 1, 2022 Through June 30, 2023, and for Approval of the Audit
24 Report for the Year Ended June 30, 2021 in accordance with its Order of April 12, 2022 [Doc.
25 1718], and that additional notice has been given by electronic service and by mailing a copy of the
26 Petition, the (Proposed) Order Requiring Notice and (Proposed) Notice of Filing Report on April 12,
27 2022, as set forth in the Affidavit of Service filed on April 12, 2022 [Doc. 1715].
28

2. The Court finds that the Budget and Rate of Assessment for the year July 1, 2022 to June 30, 2023 should be approved.

3. The Court finds the Audit Report of the accounting records of the United States Board of Water Commissioners for the year ended June 30, 2021, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, should be approved.

NOW, THEREFORE, it is hereby ordered that:

1. The Budget and Rate of Assessment of \$3.40 per acre for the year July 1, 2022 to June 30, 2023 submitted by the Chief Deputy Water Commissioner and approved by the United States Board of Water Commissioners on March 18, 2022 is hereby approved; and

2. The Audit Report of the accounting records of the United States Board of Water Commissioners for the year ended June 30, 2021, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, is hereby approved; and

3. The hearing currently set for Wednesday, May 25, 2022 at 9:00 a.m. is hereby vacated.

DATED this 19th day of May, 2022.



UNITED STATES DISTRICT JUDGE

4883-2805-7630, v. 1

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